

EXHIBIT B

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Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING**

WILLIAM JEROME RUTH, individually, and
as Wrongful Death Representative of the
ESTATE OF CYNTHIA SHOOK RUTH,

Plaintiff,

v.

**BEARTOOTH ELECTRIC COOPERATIVE,
INC.**, a Montana Corporation, and **ASPLUNDH
TREE EXPERT, LLC**, a Pennsylvania Limited
Liability Company,

Defendants.

Case No. 22-CV-00230-KHR

**PLAINTIFF’S ANSWERS TO
BEARTOOTH ELECTRIC
COOPERATIVE, INC.’S FIRST SET
OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION
OF DOCUMENT TO PLAINTIFF
WILLIAM JEROME RUTH**

Plaintiff, William Jerome Ruth (“Jerry”), individually and as the duly appointed
Wrongful Death Representative of the Estate of Cynthia Shook Ruth, through his attorneys,

Evidence Log (First Stipulation), Jensen Hughes Photos 0001-0027, Carlson Photos 000001-001181, and Carlson video 001182.

Plaintiff has not concluded their investigation, and therefore, reserves the right to amend or supplement this answer.

INTERROGATORY NO. 3: Please describe in detail the nature and extent of the damage to Plaintiff's residential property and personal property, including the Ruth vehicle driven by Cindy Ruth when she evacuated the home, caused by the Clark Fire, and list any and all records, including photographs and video recordings, and repair estimates and/or invoices documenting the damages.

ANSWER: Plaintiff suffered five general categories of property damage: motor vehicle; home/porch/greenhouse; shop/tools; storage container/cabin building materials; and, real property (land). Detail and initial valuation concerning these damages are reflected in the State Farm documents attached. The valuation is not complete or settled in its entirety and no valuation of real property damage of the land was or will be made. Photographs subject of this property damage are contained in the following:

**State Farm property claim damage
IRIS photographs
Charlie Jones photographs**

**State Farm Ruth 0001-0118
IRIS Photos 0001-0262
C Jones Photos 0001-0090**

INTERROGATORY NO. 4: What time did Plaintiff contact Cindy Ruth the evening of the Clark Fire and instruct her to leave the Ruth residence? How was contact made, by telephone call, text message, or by some other means? If by phone, please provide the phone number for the phone used to contact Ms. Ruth. Please identify all records documenting the time the call was made, including phone records.

ANSWER: Plaintiff will be better informed once the Park County dispatch records are received and or testimony from those involved with the discovery of Cindy Ruth's body are deposed. What is known at this time is that Jerry and Cindy exchanged calls between 11:53 p.m. and midnight on November 15, 2021. Cindy may have left a voicemail for Jerry during this timeframe that he picked up at a later time. When he briefly spoke to her, Jerry advised her that she needed to quickly gather the dogs and leave the home.

In the interim, a quasi-command center began forming near a grouping of mailboxes sitting atop a hill that overlooks Line Creek valley. There Jerry Ruth and Chief Nathan

Hoffert had a brief discussion and Chief Hoffert indicated he was going to start in the direction of the Ruth home to personally notify and instruct Cindy Ruth and other residents along the path to evacuate due to rapidly advancing fire. By that time, Jerry's truck was disabled due to a blown out back window.

In his concern whether Cindy had been able to make it from the house, Jerry located another first responder, who Jerry does not recall his name, and headed toward his driveway and home. As they were coming in on the driveway, Jerry saw Cindy's car stuck in the road, without Cindy in it. The car was blocking the driveway. The hatch was open, and the three dogs were still in the back of the car. He loaded the dogs into the truck and he and the other first responder, traveled the rest of the distance to the Ruth home on foot, looking, and calling for Cindy, but they did not see or find her. By that time Jerry observed that the Ruth's greenhouse and possibly his shed had caught fire.

Jerry and the gentlemen with him returned to the vicinity of Cindy's car (which now was on fire) where he and others resumed their search. Others were hesitant to be in the area due to the dangerous fire conditions. During this time, believed to be between 1:25 a.m. and 1:43 a.m., while the search ensued, Jerry attempted to reach his wife by cell phone, but the calls did not register on Cindy's phone. See Verizon statement (Clark Fire 000066-000101). Jerry's friend Katrina Haworth arrived on scene, and they returned together in her truck to the command area near the mailboxes.

INTERROGATORY NO. 5: After the initial call to tell Ms. Ruth to evacuate, did Plaintiff have any further contact with Ms. Ruth before her death? If so, please state when additional contact was made and provide the substance of the communication.

ANSWER: See answer to Interrogatory No. 4 above.

INTERROGATORY NO. 6: To the best of your knowledge, what was the cause of Cindy Ruth's death, smoke inhalation or the fire itself, or some combination of both? Please list all medical and other records documenting the cause of death?

ANSWER: Plaintiff defers to the pathologist's findings documented and certified by the Clark County Coroner as indicated in Cindy's Certificate of Death (Clark Fire 000065). Dr. Thomas Bennett performed the autopsy subject of the Coroner's investigation and those records have been requested and will be provided upon receipt.

INTERROGATORY NO. 7: Where was Cindy Ruth's body located when Plaintiff confirmed her identity? Who else was present at the time? Please provide current addresses and phone numbers for all individuals who were present.

ANSWER: The most accurate known description of the search and recovery of Cindy Ruth's body, by firsthand witnesses, is outlined in the Clark Volunteer Fire Department's Fire Incident Report at Clark Fire 000007. Following the discovery of Cindy's body, a sheriff's deputy approached Jerry who, at the time, was in Katrina Haworth's truck in the same vicinity as the command center. He told Jerry they had found his wife. Cindy's cell phone was recovered from next to her body and Jerry confirmed that was indeed her phone. Jerry was guided to his friends and neighbors' home, Charlie Jones and Kim Turiano (last name corrected from Jones as it was erroneously reported on Plaintiff's Rule 26 Initial Disclosures). A short time later, the Coroner came to the Jones/Turiano residence. The Coroner brought Cindy's diamond anniversary ring to Jerry. At that time, Jerry could see the bag which contained the contorted body of his wife.

INTERROGATORY NO. 8: When were Plaintiff and Cindy Ruth married and where?

Please list all previous addresses for the ten (10) years immediately preceding Cindy Ruth's death.

ANSWER: The Ruths were married on April 16, 1983, in Baltimore, Maryland.

18711 Ridge Meadow Rd
Stewartstown, PA 17363

1 Louis Lamour Lane
Powell, WY 82435

INTERROGATORY NO. 9: Please identify all beneficiaries you allege have suffered economic and non-economic damages as a result of Cindy Ruth's death, and please specify the *economic* damage suffered by each beneficiary.

ANSWER: The following are all potential beneficiaries of Cindy's Estate:

Jerry Ruth (spouse)
Anthony Ruth (son)
Sara Ruth (daughter)
Eric Ruth (son)
Barbara Shook (sister)
John Shook (brother)

All of the above beneficiaries may claim non-economic damages as a result of Cindy's death. All of the above beneficiaries, except Barbara Shook and John Shook, claim economic damages as a result of her death. Jerry's claim arises a result of his wife's remaining lifetime earning capacity, income stream and/or other benefits that would have resulted from her continued employment. As to the three children, each has benefitted

REQUEST NO. 8: If you have letters, Christmas cards, birthday cards, Valentine cards, or other written personal communications by or between Jerry Ruth and Cindy Ruth for the five-year period prior to Ms. Ruth's death, please produce copies of those.

RESPONSE: Once identified, the same will be provided by supplement.

REQUEST NO. 9: If you have letters, Christmas cards, birthday cards, Valentine cards, or other written personal communications by or between Cindy Ruth and other beneficiaries for the five-year period prior to Ms. Ruth's death, please produce copies of those.

RESPONSE: Cards, letters, and other personal communications are being gathered by the family and will be provided in a supplemental disclosure.

Dated this 19th day of January, 2023.

BARKER LAW FIRM, LLC

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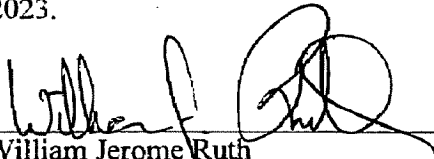
rgp@pahlkelawgroup.com

Attorneys for Plaintiffs

VERIFICATION

I, **William Jerome Ruth**, hereby certify that I am the Plaintiff named herein; that I have read and verified the *Plaintiff's Answers, First Supplemental, and Second Supplemental Answers to Beartooth Electric Cooperative, Inc.'s First Set of Interrogatories and Request for Production of Documents to Plaintiff William Jerome Ruth* and that the statements contained therein are true to the best of my knowledge and belief.

DATED this 6 day of February, 2023.

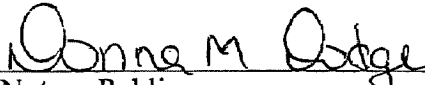


William Jerome Ruth

STATE OF WYOMING)
)ss.
COUNTY OF Park)

Subscribed and sworn to before me this 6th day of Feb., 2023, by William Jerome Ruth.

Witness my hand and official seal.



Notary Public

My Commission Expires: March 20, 2023

